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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA  
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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 SHAWN TALBOT RICE,

11 Defendant.  
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)  
) Case No. 2:09-cr-00078-JCM-GWF  
) Case No. 2:10-cr-00520-JCM-GWF  
)

13 **ORDER**

14 These matters come before the Court on identical motions filed by Defendant in two related  
15 cases, No. 2:09-cr-00078-JCM-GWF (“*Rice I*”) and No. 2:10-cr-00520-JCM-GWF (“*Rice II*”):  
16 Defendant’s Motion to Waive all Court Fees (*Rice I* #302; *Rice II* #66), filed on September 17,  
17 2012; Motion to Direct Warden to Process In Forma Pauperis Application (*Rice I* #312; *Rice II*  
18 #73), filed on December 5, 2012; Motion to Approve in Forma Pauperis Status (*Rice I* #320; *Rice*  
19 *II* #81), filed on January 7, 2013; and Motion for Court to Direct Reporter to Produce Transcripts  
20 (*Rice I* #321; *Rice II* #82), filed on January 11, 2013. Plaintiff filed a Response (*Rice I* #313; *Rice*  
21 *II* #75) to the Motion to Direct Warden (*Rice I* #312; *Rice II* #73) on December 12, 2012. These  
22 cases were reassigned to this Court on January 24, 2013. See *Rice I Doc. #327*; *Rice II Doc. #87*.  
23 Defendant is acting in proper person in these matters.

24 Defendant was convicted after bench trial in both *Rice I* and *Rice II* before the District  
25 Judge on July 24, 2012. See *Rice I Doc. #285*; *Rice II Doc. #60*. After filing his Motion to Waive  
26 Court Fees (*Rice I* #302; *Rice II* #66), Defendant filed a Petition to Vacate under 28 U.S.C. § 2255  
27 (*Rice I* #309; *Rice II* #70). The District Court denied the Petition as premature. (*Rice I* #325; *Rice*  
28 *II* #85). Sentencing for both cases is scheduled on February 7, 2013. See *Rice I Doc. #326*; *Rice II*  
*Doc. #87*. The Court construes the instant Motions as repeated requests to obtain copies of the *Rice*

1 I and II trial transcripts, and to waive the transcript fees. In its Response (*Rice I* #313; *Rice II* #75;  
2 at 4:7-9), Plaintiff represents it has no opposition to this request. Accordingly,

3 **IT IS HEREBY ORDERED** that Defendant's Motion to Waive all Court Fees (*Rice I*  
4 #302; *Rice II* #66), Motion Direct Warden Veatch (*Rice I* #312; *Rice II* #73), Motion to Approve in  
5 Forma Pauperis Status (*Rice I* #320; *Rice II* #81), and Motion to Direct Reporter (*Rice I* #321; *Rice*  
6 *II* #82) are **granted** in part and **denied** in part as follows:

7 (1) To the extent they relate to Defendant's Petition to Vacate (*Rice I* #309; *Rice II* #70), the  
8 Motions are **denied** as moot.

9 (2) To the extent they relate to Defendant's desire to use the trial transcripts at his  
10 sentencing, the Motions are **granted**.

11 **IT IS FURTHER ORDERED** that Defendant shall be provided with copies of the  
12 transcripts of the July 23 and July 24, 2012 bench trial in Case Nos. 2:09-cr-00078-JCM-GWF and  
13 2:10-cr-00520-JCM-GWF.

14 **IT IS FURTHER ORDERED** that the fee for the transcripts shall be waived.

15 DATED this 29th day of January, 2013.

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18 GEORGE FOLEY, JR.  
19 United States Magistrate Judge  
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